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BEFORE THE
ILLINOIS COMMERCE COMMISSION

DAVID E. LATTAN,)	DOCKET NO.
FOR PRAIRIE FARMS DAIRY)	11-0717
)	
-vs-)	
)	
AMEREN ILLINOIS COMPANY)	
d/b/a Ameren Illinois)	
)	
Complaint as to gas meter failed)	
to function correctly for over 12)	
months in Carbondale, Illinois.)	

Springfield, Illinois
Wednesday, April 25, 2012

Met, pursuant to notice, at 11:00 a.m.

BEFORE:

MR. LARRY JONES, Administrative Law Judge

APPEARANCES:

MR. DAVID E. LATTAN
Vice President of Engineering
1100 Broadway
Carlinville, Illinois 62626
Ph. (217) 854-2547
Cell No. (618) 407-2832

(Appearing via teleconference on
behalf of Prairie Farms Dairy).

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
CSR #084-002710

1 APPEARANCES: (Continued)

2 MR. CHARLES Y. DAVIS
BROWN HAY & STEPHENS, LLP
3 205 South Fifth Street, Suite 700
Springfield, Illinois 62705
4 Ph. (217) 544-8491

5 (Appearing on behalf of
Respondent)

1		<u>I N D E X</u>			
2					
3	<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
4	(None)				
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13		<u>EXHIBITS</u>			
14					
15				<u>MARKED</u>	<u>ADMITTED</u>
16	(None)				
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PROCEEDINGS

JUDGE JONES: Good morning. I call for hearing Docket Number 11-0717. This is titled in part David E. Lattan, Prairie Farms Dairy versus Ameren Illinois Company d/b/a Ameren Illinois. This is a complaint matter.

At this time we will take the appearances orally for the record. We will start with the appearance on behalf of Prairie Farms Dairy, the complainant. Mr. Lattan, would you identify yourself for the record at this time as the person appearing on behalf of Prairie Farms Dairy?

MR. LATTAN: Yes, sir. I am appearing on behalf of Prairie Farms Dairy. My name is David, middle initial E, Lattan, L-A-T-T-A-N, and I am an officer of Prairie Farms Dairy Incorporated. My title is Vice President for Engineering.

JUDGE JONES: Thank you. Could you give us your business address and business phone number, please?

MR. LATTAN: Yes. My business address is 1100 Broadway in Carlinville, C-A-R-L-I-N-V-I-L-L-E,

1 Illinois. The zip is 62626. The main number at that
2 office, the corporate office of Prairie Farms Dairy,
3 is area code (217) 854-2547. And the best number on
4 which to reach me is my cell phone which is
5 (618) 407-2832.

6 JUDGE JONES: Thank you, Mr. Lattan. I will
7 now take the appearance or appearances on behalf of
8 Ameren Illinois.

9 MR. DAVIS: Charles Davis. I am an attorney of
10 the law firm of Brown, Hay and Stephens. We
11 represent Ameren Illinois Company in this matter. My
12 office address is 205 South Fifth Street, Suite 700,
13 Springfield, Illinois 62701. My e-mail address is
14 cdavis@bhslaw.com and my phone number is
15 (217) 544-8491.

16 JUDGE JONES: Thank you, Mr. Davis. At this
17 time I will check with the parties to see if you
18 would like a few minutes among yourselves to discuss
19 such things as potential scheduling or other
20 preliminary matters.

21 MR. DAVIS: That would be great.

22 MR. LATTAN: I agree.

1 JUDGE JONES: All right. At this time let the
2 record show that we hereby go off the record to
3 provide that opportunity to you. So off the record.
4 (Whereupon there was then had an
5 off-the-record discussion.)
6 JUDGE JONES: Back on the record.
7 Let the record show there was an
8 off-the-record discussion for the the purposes noted.
9 I believe the parties were able to work out some
10 scheduling to be read into the record.
11 So, Mr. Davis, would you mind reading
12 into the record what you believe to be the agreed-to
13 scheduling, if any?
14 MR. DAVIS: Yes, Your Honor. The dates that we
15 have agreed to are as follows:
16 May 9 is the deadline for both parties
17 to exchange data requests to one another;
18 May 30 is the response deadline for
19 each party to respond to the data requests that they
20 receive from the other party;
21 June 13 is the deadline for the
22 direct testimony of the complainant Prairie Farms;

1 July 3 is the deadline for the direct
2 testimony of the respondent Ameren Illinois;

3 July 24 is the deadline for the
4 responsive testimony of the complainant Prairie
5 Farms;

6 And July 30 at 11:00 a.m. would be
7 another prehearing conference here at the Commission,
8 and Ameren would be happy to provide a call-in number
9 for that meeting also.

10 JUDGE JONES: All right. Thank you, Mr. Davis.

11 Mr. Lattan, is that schedule
12 acceptable to you?

13 MR. LATTAN: Yes, sir, it is.

14 JUDGE JONES: All right. Let the record show
15 that that schedule just read into the record is
16 hereby approved and implemented in this proceeding.

17 Just a couple quick notes. Those
18 testimony filing dates, the testimony, proposed
19 testimony, is to be filed with the Commission.
20 Copies of that then are to be circulated or served
21 electronically to each other and to me.

22 Is circulating copies of that

1 testimony by e-mail satisfactory?

2 MR. DAVIS: Yes.

3 JUDGE JONES: Is that okay with you,
4 Mr. Lattan?

5 MR. LATTAN: Yes, sir.

6 JUDGE JONES: All right. Thank you. So
7 service of those testimony filings will be made
8 electronically, that is by e-mail.

9 With respect to the data requests and
10 responses to the data requests, those will be sent by
11 the parties to each other. Those will not be filed
12 with the Commission or served on me. In the event
13 disputes arise and motions emerge, that's a different
14 story. But in terms of the data request responses,
15 those will be handled as noted above.

16 Responses to those data requests are
17 not automatically deemed part of any proposed
18 testimony filing in this docket. So please be aware
19 of that. Parties will frequently utilize portions of
20 data requests in the preparation of their own
21 testimony and may even attach portions of data
22 requests or quote portions of data -- or responses to

1 data requests as part of their testimony filing. So
2 they are used in that way many times, as everyone
3 here is probably aware. I just note for the record
4 that the responses to the data requests are not
5 deemed part of the file testimony unless they are
6 made part of that in some manner such as that noted
7 above.

8 Are there any questions about anything
9 that I just said or anything else regarding the
10 schedule?

11 MR. DAVIS: No, Your Honor.

12 MR. LATTAN: No, sir.

13 JUDGE JONES: All right. Thank you. I think
14 that may cover the bases for today then, but let me
15 make sure. Do the parties have anything else for the
16 record before we conclude today's status hearing?

17 MR. DAVIS: Nothing further from Ameren.

18 MR. LATTAN: Nothing further from Prairie
19 Farms.

20 JUDGE JONES: All right. We will leave it at
21 that then. As noted, the schedule is in place. As
22 mentioned previously and as I think the parties are

1 already aware, merely because this case has gone
2 formal and is a formal proceeding does not mean that
3 parties are precluded from discussing potential
4 resolution or settlement of any or all issues in the
5 meantime. They are free to continue or undertake any
6 of those types of discussions at any time in the
7 proceeding and frequently do.

8 All right. At this time then let the
9 record show that today's status hearing is over. Our
10 thanks to counsel for Ameren for circulating the
11 call-in number for today's status hearing as well as
12 the next one.

13 MR. LATTAN: Thank you, sir.

14 JUDGE JONES: Also our thanks to the parties
15 for working together to come up with a schedule.

16 At this time let the record show that,
17 as noted in the schedule. This matter is continued
18 to a status hearing date to be held on July 30 at the
19 hour of 11:00 a.m.

20 (Whereupon the hearing in this
21 matter was continued until July
22 30, 2012, at 11:00 a.m. in
 Springfield, Illinois.)